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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : **Confirmation No. 5858**
Yohko AKIYAMA et al. : Attorney Docket No. 2005_0380A
Serial No. 10/526,792 : Group Art Unit 1645
Filed March 8, 2005 : Examiner **Not Yet Assigned**
SUSTAINED-RELEASE PREPARATION

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to the provisions of 37 CFR 1.56, 1.97 and 1.98, Applicants request consideration of the references listed on attached form PTO-1449 and any additional information identified below in paragraph 3. A legible copy of each reference listed on the Form PTO-1449 is enclosed, except a copy is not provided for:

- ☒ each U.S. Patent and U.S. Patent application publication;
- ☐ each reference previously cited in the international application PCT/_____; and/or
- ☐ each reference previously cited in prior parent application Serial No. _____.

1a. ☐ This Information Disclosure Statement is submitted:

within three months of the filing date (or of entry into the National Stage) of the above-entitled application, or

before the mailing of a first Office Action on the merits or the mailing of a first Office Action after the filing of an RCE,

and thus no certification and/or fee is required.

- 1b. ☐ This Information Disclosure Statement is submitted

after the events of above paragraph 1a and prior to the mailing date of a final Office Action or a Notice of Allowance or an action which otherwise closes prosecution in the application, and thus:

- (1) ☐ the certification of paragraph 2 below is provided, **or**
(2) ☐ the fee of \$180.00 specified in 37 CFR 1.17(p) is enclosed.

- 1c. ☐ This Information Disclosure Statement is submitted:

after the mailing date of a final Office Action or Notice of Allowance or action which otherwise closes prosecution in the application, and prior to payment of the issue fee, and thus:

**the certification of paragraph 2 below is provided, and
the fee of \$180.00 specified in 37 CFR 1.17(p) is enclosed.**

2. It is hereby certified

- a. ☐ that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Statement, or
b. ☐ that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of the Statement.

3. ☐ Consideration of the following list of additional information (including any compending or abandoned U.S. application, prior uses and/or sales, etc.) is requested.

4. For each non-English language reference listed on the attached form PTO-1449, reference is made to:
- a. ☐ a full or partial English language translation submitted herewith,
 - b. ☐ a foreign patent office search report (in the English language) submitted herewith,
 - c. ☐ the concise explanation contained in the specification of the present application at page,
 - d. ☐ the concise explanation set forth in the attached English language abstract,
 - e. ☐ the concise explanation set forth below or on a separate sheet attached to the reference:
5. ☐ A foreign patent office search report citing one or more of the references is enclosed.
6. ☐ Statement Under 37 CFR 1.704(d)

Each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign Patent Office in a counterpart application, and this communication was not received by any individual designated in §1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.

7. [X] Enclosed please find the Third Party Observations filed in the corresponding EP application together with a copy of the cited references.

Respectfully submitted,

Yohko AKIYAMA et al.

By



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August 17, 2006

FORM PTO 1449 (modified)

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICELIST OF REFERENCES CITED BY APPLICANT(S)
(Use several sheets if necessary)

Date Submitted to PTO: August 17, 2006

ATTY DOCKET NO.
2005_0380ASERIAL NO.
10/526,792APPLICANT
Yohko AKIYAMA et al.FILING DATE
March 8, 2005

GROUP



U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA						

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION
	AB	99/38501	8/1999	WO			
	AC	0 661 045	7/1995	EP			
	AD	0 438 249	7/1991	EP			
	AE	99/20255	4/1999	WO			
	AF	99/03471	1/1999	WO			
	AG	01/62266	8/2001	WO			
	AH						
	AI						
	AJ						
	AK						
	AL						

OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)

AM	D. A. Alderman et al., "A Review of Cellulose Ethers in Hydrophilic Matrices for Oral Controlled-Release Dosage Forms", Int. J. Pharma. Tech & Prod. Mfr., Vol. 5, No. 3, pp. 1-9, 1984.
AN	B. Sudre et al., "Chronic Inhibition of Circulating Dipeptidyl Peptidase IV by FE 999011 Delays the Occurrence of Diabetes in Male Zucker Diabetic Fatty Rats", Diabetes, Vol. 51, No. 5, pp. 1461-1469, May 2002.
AO	

EXAMINER /Paul Dickinson/

DATE CONSIDERED 05/11/2010

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /P.D./